



**RESOLUTION  
OF  
BOARD OF DIRECTORS OF LEGAL SERVICES OF THE HUDSON VALLEY**

**In Support of Enhanced Private Attorney Involvement  
with LSC-Funded Programs**

**Whereas**, the Legal Services Corporation and the programs it funds, including Legal Services of the Hudson Valley, have long recognized that the overarching values of private attorney involvement to LSC-funded programs are increased access, increased human and capital resources, and increased *pro bono* commitment; and

**Whereas**, at its April 2007 meeting, the Board of Directors of the Legal Services Corporation adopted Resolution 2007-003 supporting and encouraging private attorney involvement and urging governing boards of LSC-funded programs to collaborate with other organizations to effectively engage lawyers in *pro bono* representation and other services that benefit low-income persons; and

**Whereas**, the LSC Board of Directors resolution builds upon the following national LSC initiatives:

- The October 2005 LSC report, *Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans*, which found that 50 percent of the potential clients requesting assistance from an LSC grantee were turned away for lack of resources on the part of the program;
- The *LSC Strategic Directions 2006-2010*, which calls upon LSC to increase public awareness of and support for legal services to low-income persons in order to respond appropriately to more of their legal needs;
- The *LSC Performance Criteria*, which consider, in evaluating a program's legal representation and other activities intended to benefit the low-income population in its service area, whether that program effectively integrates private attorneys into its work

in order to supplement the amount and effectiveness of its representation and other services;

- The Provision for the Delivery of Legal Services Committee of the LSC Board of Directors 2006 meetings, which highlighted the potential, opportunities and challenges of private attorney involvement and determined ways in which this critical resource can be used more effectively by LSC-funded programs as a means to help close the justice gap;
- The unanimous adoption in January 2007 by LSC Board of Directors of a strategic work plan entitled *Action Plan for Private Attorney Involvement: Help Close the Justice Gap, Unleash the Power of Pro Bono*, which highlights the benefits of engaging private attorneys to help represent clients of LSC-funded programs and describes ways in which the LSC Board and staff will work to expand private attorney involvement;
- The American Bar Association's Model Rule 6.1 and similar state bar rules note the professional responsibility of every lawyer to provide *pro bono* legal assistance to persons of limited means;

**Whereas**, in New York State:

- According to the most recent U.S. Census data, there are approximately 207,896 people living below the federal poverty guidelines in LSHV's service area, which includes the Counties of Westchester, Putnam, Rockland, Dutchess, Ulster, Orange and Sullivan;
- New York's Equal Justice Commission reported in 2006 in a report to the then Governor-Elect that fewer than 15 % of the legal needs of low income New Yorkers are being met;
- The New York State Lawyer's Code of Professional Responsibility Ethics Consideration 2-25 informs, "A lawyer has an obligation to render public interest and pro bono legal service."
- In 2006, the New York State Bar Association demonstrated its commitment to increasing pro bono legal assistance in the state by establishing a program to recognize attorneys who provide over 50 hours of *pro bono* service in a year by bestowing upon these attorneys the honorific title of "Empire State Counsel", which they may use as a credential;

**Now, Therefore, Be It Resolved** that the Board of Directors of Legal Services of the Hudson Valley in an effort to help close the justice gap in New York State, supports and encourages private attorney involvement with Legal Services of the Hudson Valley and will endeavor to:

- Collaborate with other organizations and entities in Westchester, Rockland, Putnam, Dutchess, Orange, Ulster and Sullivan Counties to develop and facilitate educational efforts that demonstrate the extent of the unmet civil legal need and encourage collective responsibility within Westchester, Rockland, Putnam, Dutchess, Orange, Ulster and Sullivan Counties by both public and private entities to help meet this unmet civil legal need;
- Collaborate with other organizations and entities in Westchester, Rockland, Putnam, Dutchess, Orange, Ulster and Sullivan Counties to develop effective strategies for engaging lawyers in *pro bono* representation and other services that benefit low-income persons;
- Consider including in that collaboration organizations and entities such as, the New York State Bar Association, the Westchester County Bar Association, the Westchester Women's Bar Association, the Orange County Bar Association, the Women's Bar Association of Orange and Sullivan Counties, the Putnam County Bar Association, the Dutchess County Bar Association, the Mid-Hudson Women's Bar Association, the Ulster County Bar Association, the Sullivan County Bar Association, Pace University School of Law and Clinical Programs, Albany Law School and Clinical Programs, the Office of the Administrative Judge of the 9<sup>th</sup> Judicial District, the Office of the Administrative Judge of the 3<sup>rd</sup> Judicial District, the 9<sup>th</sup> Judicial District Pro Bono Local Action Committee, the Office of the New York State Deputy Administrative Judge for Justice Initiatives, law firms and corporate law departments throughout LSHV's service area and in New York City;
- Develop strategies that encourage *pro bono*, including creative recruitment methods and delivery models, attorney practice and continuing legal education rules, and training, mentoring, support, and recognition of volunteers.

**Be it Further Resolved** that the Board of Directors of Legal Services of the Hudson Valley will promote, support and encourage private attorney involvement initiatives by publicizing and recognizing private attorney involvement in the work of Legal Services of the Hudson Valley and by collaborating with national, state and local organizations to create opportunities for such publicity and recognition.

**Adopted by the Board of Directors of Legal Services of the Hudson Valley on September 27, 2007**

  
 Alfred E. Donnellan, Board Chair